

REMARKS

Applicants affirm the provisional election made to prosecute the invention of Group I. Applicants believe that Claims 1 through 9 read on the elected specie. This election is made without traverse.

The Examiner provisionally rejected Claims 1 through 9 under the judicially created doctrine of obviousness-type double patenting. Applicants will address these provisional rejections if necessary at a later date.

Claim 1 now defines the invention as a vehicle headliner including a core comprising polyurethane resin foam and a structural reinforcement layer provided adjacent the core. The structural reinforcement layer includes a plurality of carbon fibers and a binder for adhering the plurality of carbon fibers to one another thereby forming a mat.

The Examiner rejected previously presented Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over the Michael reference ('989) in view of the Fletemier et al. reference. This rejection is respectfully traversed.

The Michael reference ('989) teaches a method 10 of making an article from natural or synthetic fiber 40 and a resinous binder 42. The fiber 40 and the binder 42 may be delivered onto a fabric, vinyl, or leather door skin 44.

The Fletemier et al. reference teaches a core 12 made of nonwoven randomly intertwined polymeric staple fibers of different deniers. Structural reinforcement layers 14 and 16 are disposed about opposed sides of the core 12. The Fletemier et al. reference further teaches that the fibers of the core 12 are "blended with a bicomponent fiber, which is utilized to effect adherence between the individual fibers when the core is combined with other layers of the laminate," (Fletemier et al. Col. 3, Lines 21-24). The Fletemier et al. reference teaches that a core 12 made of fibers of deniers of a widely varying range "has been determined by the inventors to provide the desired mechanical, bonding and acoustical properties," (See Fletemier et al. Col. 3, Lines 6-19).

The Examiner asserts that it would have been obvious to one having ordinary skill in the art to have used carbon from the Michael reference as one of the fibrous reinforcement layers of the Fletemier et al. reference. Applicants respectfully disagree. A proper combination of the teachings of the Michael ('989) reference with the Fletemier et al. reference would result in the door skin of the Michael reference ('989) having the fibrous layer of differing deniers of the Fletemier et al. reference.

There is simply no teaching contained in any of the references that supports the combination proposed by the Examiner. Indeed, as discussed above, the express teachings of the references teach away from the combination proposed by the Examiner, because the combination of the references is just as likely to produce a variety of other composite combinations besides the claimed invention. The teachings of the Michael reference cannot be properly combined with the teachings of the Fletemier et al. reference, because there is no motivation for making such a combination in either reference.

Further, if the Michael and Fletemier et al. references were combined, the combined references do not disclose every element of the invention as is defined in amended Claim 1. Neither reference discloses a core comprising polyurethane resin foam. The Fletemier et al. reference teaches away from the use of a polyurethane foam core to create a headliner having the desired acoustic characteristics. Specifically, the Fletemier et al. reference teaches that the fibers of differing deniers of the core 12 provide the desired acoustical properties. Also, the Fletemier et al. reference (Col. 1, Lines 23-29) suggests that "others [headliners] have been manufactured from a core of open cell polyurethane foam impregnated with a thermosetting resin, and with a reinforcing layer of fiberglass... this type of construction... has low acoustical attenuation which is particularly undesirable for automobile headliners." Therefore, from the teachings of the references, one of ordinary skill in the art would not be motivated to replace the fibrous core of the Fletemier et al. reference with a core comprising polyurethane resin foam as defined

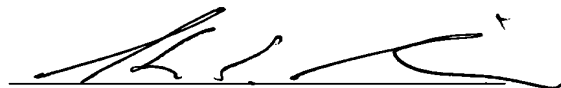
in Claim 1, because such a combination is contrary to the express teachings of the Fletemier et al. reference.

New Claim 21 defines the invention as a vehicle headliner including a core including polyurethane resin foam and a structural reinforcement layer provided adjacent the core. The structural reinforcement layer includes a plurality of carbon fibers and a plurality of basalt fibers. For the reasons mentioned above with respect to Claim 1, Claim 21 is also believed to be patentable over the cited references.

For the above mentioned reasons, Applicants respectfully request withdrawal of the rejections of record. In view of the amendments and above remarks, it is believed that the application is in condition for allowance.

Any fees due in connection with this Amendment should be charged to Deposit Account No. 13-0005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Staci E. Schweikert', written over a horizontal line.

Staci E. Schweikert
Reg. No. 52,200

MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fourth Floor
720 Water Street
Toledo, Ohio 43604
(419) 255-5900